

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RICKY WADE DAVIS, #173073,)
)
Plaintiff,)
)
v.) CIVIL ACTION NO. 2:06-CV-10-MEF
)
)
SGT. BRYANT, et al.,)
)
Defendants.)

O R D E R

In his complaint, the plaintiff names Sgt. Baxley as a defendant in this cause of action. Service was attempted but unperfected on this individual because he was not known at the address provided by the plaintiff. If a person has not been served, he/she is not a party to this lawsuit except in very unusual circumstances. Consequently, in order to maintain litigation against Sgt. Baxley, the plaintiff must furnish the clerk's office with correct addresses for this individual. Accordingly, it is

ORDERED that on or before February 15, 2006 the plaintiff shall furnish the clerk's office with the correct address of Sgt. Baxley. **The plaintiff is advised that the court will not continue to monitor this case to ensure that the defendants he wishes to sue have been served.** This is the plaintiff's responsibility. Moreover, the plaintiff is specifically cautioned that if service is not perfected on Sgt. Baxley he will not be considered a party to this cause of action, the court will on its own initiative dismiss the claims against Sgt. Baxley, and this case will proceed against only the defendant on whom service has been

perfected. *See Rule 4(m), Federal Rules of Civil Procedure.*

Done this 30th day of January, 2006.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE